

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

TODD MILTON HENRY,

Defendant.

Case No. CR20-147-RSL

ORDER GRANTING
STIPULATED MOTION TO
CONTINUE TRIAL AND
PRETRIAL MOTIONS DUE
DATE

This matter comes before the Court on the parties' "Stipulated Motion to Continue Trial and Pretrial Motions Dates" (Dkt. # 33). Having considered the facts set forth in the motion, and defendant's knowing and voluntary waiver (Dkt. # 34), the Court finds as follows:

1. The Court adopts the facts set forth in the stipulated motion: in particular, that:
(a) defense counsel is engaged in ongoing mitigation and negotiation efforts, including obtaining reports from defendant's sex offender treatment provider and mental health therapist; and
(b) defense counsel requires additional time to explore complex mental health and mitigation issues and to communicate with defendant about his defense strategy now that his mood is better regulated following surgery for a medical condition that caused mood and affect issues. The Court accordingly finds that a failure to grant a continuance would deny counsel, and any potential future counsel, the reasonable time necessary for effective preparation, taking into account the exercise of due diligence, within the meaning of 18 U.S.C. § 3161(h)(7)(B)(iv).

2. The Court finds that a failure to grant a continuance would likely result in a miscarriage of justice, as set forth in 18 U.S.C. § 3161(h)(7)(B)(i).

ORDER GRANTING STIPULATED
MOTION TO CONTINUE TRIAL - 1

